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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,209	08/23/2001	Lawrence J. Malone	P04979 (NAT115-04979)	1195

7590 09/30/2004

Docket Clerk  
P.O. Drawer 800889  
Dallas, TX 75380

EXAMINER

ANWAH, OLISA

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/938,209

**Applicant(s)**

MALONE ET AL.

**Examiner**

Olisa Anwah

**Art Unit**

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

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# DETAILED ACTION

## *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-24 are rejected under 35 U.S.C. § 102(e) as being anticipated by Yamatani, U.S. Patent Application Publication No. 2002/0052227 (hereinafter Yamatani).

Regarding claim 1, Yamatani discloses a radio frequency transceiver comprising (see Figure 1):

a radio frequency (RF) modem section (unit 22 from Figure 1) comprising:

receive path circuitry capable of receiving and down-converting an incoming RF signal to thereby produce and incoming baseband signal; and

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transmit path circuitry capable of receiving and up-converting an outgoing baseband signal to thereby produce an outgoing RF signal;

a baseband section (unit 21 from Figure 1) comprising baseband circuitry capable of receiving and processing said incoming baseband signal and capable of generating said outgoing baseband signal; and

a power-saving apparatus (the combination of units 6 and 4 from Figure 1) capable of determining that said baseband section is idle and, in response to said determination, reducing a power supply voltage providing power to said baseband section (paragraph 0036).

Regarding claim 2, see paragraph 0036.

Regarding claim 3, see Figure 2.

Regarding claim 4, see paragraphs 0036 and 0008.

Regarding claim 5, see paragraphs 0036 and 0008.

Regarding claim 6, see paragraphs 0036 and 0008.

Regarding claim 7, see paragraph 0036.

Regarding claim 8, see paragraphs 0046-0049.

Regarding claim 9, see paragraphs 0046-0049.

Regarding claim 10, see Figure 2.

Regarding claim 11, see paragraph 0036.

Regarding claim 12, see paragraph 0036.

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Regarding claim 13, see Figure and paragraph 0036.

Regarding claim 14, see paragraphs 0046-0049.

Regarding claim 15, see Figure 2.

Regarding claim 16, see paragraph 0036.

Regarding claim 17, see paragraph 0036.

Regarding claim 18, see paragraph 0036.

Regarding claim 19, see paragraphs 0046-0049.

Regarding claim 20, see paragraphs 0046-0049.

Regarding claim 21, see paragraphs 0046-0049.

Regarding claim 22, see Figure 2.

Regarding claim 23, see paragraph 0036.

Regarding claim 24, see paragraphs 0046-0049.

### **Conclusion**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned

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are 703-872-9314 for regular communications and 703-872-9314 for  
After Final communications.

Any inquiry of a general nature or relating to the status  
of this application or proceeding should be directed to the  
receptionist whose telephone number is 703-305-3900.

CA.

Olisa Anwah  
Patent Examiner  
September 22, 2004

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to read 'Fan Tsang', is written over the printed name and title.